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EXAMINER

HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/719,389

Applicant(s)

HOLLIDAY ET AL.

Examiner

Farzana E. Hossain

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6-25-01.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6-25-01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The International Preliminary Examination Report listed Patent Abstract of 11055592, which was not cited on the information disclosure statement but has been considered.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Television Signals Receiver for Defining Television Programs and Services.

3. The disclosure is objected to because of the following informalities: The Office assumes "tile" should be —title—as recited on Page 17, line 11.
4. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2623

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 1-4, 7, 8, 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaney (US 5,841,433).

Regarding Claim 1, Chaney discloses a receiver (Figure 6, 612) for receiving television (TV) signals in a plurality of channels each defining a television program (Figure 3) and at least a signal in one of the channels (Column 3, lines 55-67) comprising

compressed data defining broadcast events in the channels from time to time (Figures 5a-5b), the receiver being arranged to produce output signals defining an image of events in the program schedule for displaying on a TV screen (Figure 3) and comprising

means for receiving data defining a dictionary representing text portions or a map to represent text portions (Column 5, lines 42-50), means for decoding the program scheduling data to identify text portions in the dictionary or means for constructing meaning of the program scheduling data to identify text portions of the dictionary or map (Figure 3, Column 5, lines 42-60),

and means for constructing the image of events using identified text portions (Figure 3), wherein data defining two versions of the dictionary representing different text portions is receivable by the receiver (Column 6, lines 36-67),

the receiver comprising storing means for storing data defining one version of the dictionary (Column 6, lines 36-67) and

means for determining whether data for a text portion is in the stored version of the dictionary or the other version of the dictionary (Column 6, lines 36-67).

Regarding Claim 2, Chaney discloses all the limitations of Claim 1. Chaney discloses the text portions comprise an extendend service description or information about the channel (Figures 5a (1, 2, 3), 5b).

Regarding Claim 3, Chaney discloses all the limitations of Claim 1. Chaney discloses the text portions comprise an event name or title (Figures 5a (1, 2, 3), Column 5, lines 45-50).

Regarding Claim 4, Chaney discloses all the limitations of Claim 1. Chaney discloses the text portions comprise a title, which is the name of an event, which reads on a short event name (Figures 5a (1, 2, 3), Column 5, lines 45-50). Note: the applicant does not define short event name.

Regarding Claim 7, Chaney discloses all the limitations of Claim 1. Chaney discloses means for receiving the data of the other version of the dictionary or the newer/emergency version of the dictionary and means for replacing data of the one version of the dictionary or master guide data (Figure 5a and 5b) for the text determined to be stored in the other version of the dictionary (Column 6, lines 36-67).

Regarding Claim 8, Chaney discloses all the limitations of Claim 1. Chaney discloses means for storing a default dictionary or master guide data (Column 6, lines 36-67).

Regarding Claim 22, Chaney discloses all the limitations of Claim 2. Chaney discloses the text portions comprise an event name or title (Figures 5a (1, 2, 3), Column 5, lines 45-50).

Regarding Claims 23, 24 and 25, Chaney discloses all the limitations of Claims 2, 3 and 22 respectively. Chaney discloses the text portions comprise a title, which is the name of an event, which reads on a short event name (Figures 5a (1, 2, 3), Column 5, lines 45-50). Note: the applicant does not define short event name.

7. Claims 9-11, 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Eyer et al (US 6,160,545 and hereafter referred to as "Eyer").

Regarding Claim 9, Eyer discloses a receiver for receiving TV signals in a plurality of channels each defining a television program and/or services provided by a broadcaster (Column 5, lines 54-61, Column 6, lines 26-32), and a bouquet identity or region ID (Column 8, lines 7-10) and a sub-bouquet identity or national indicator for the channel (Column 8, lines 5-6), the receiver comprising

means for storing a reference bouquet identity or region ID or discarding all other channel map data (Column 6, lines 59-67) and one or more reference sub-bouquet identities or channel map data (Figure 1, 185, Column 7, lines 46-50,) or channel map data is used to determine national services or regional services for the particular IRD for comparison with received data for global and regional sources (Column 8, lines 43-67, Figure 3, 300, 170).

means for comparing the bouquet identify and sub-bouquet identities in a received signal with reference bouquet and sub-bouquet identities (Column 7, lines 30-40, Figure 1, 165) and

means for outputting the receive TV signal for display of the program or other services defined thereby depending on the comparison (Column 7, lines 30-40, Figure 1, 195, Figure 3, 195).

Regarding Claim 10, Eyer discloses all the limitations of Claim 9. Eyer discloses storing means or RAM to store the common sub-bouquet or national/global identifying programs and/or services receivable independent of the receivers location (Column 9, lines 43-52) and a regional sub-bouquet identifying programs and/or other services receivable depending on the location of the receiver specific to a CATV network such as in a metropolitan area (Column 8, lines 53-60, lines 64-67).

Regarding Claims 11 and 26, Eyer discloses all the limitations of Claims 9 and 10 respectively. Eyer discloses that each channel has associated with it a logical channel number which varies on a sub-bouquet basis or satellite channels depend on common data or global data (Column 9, lines 37-44) and region specific sub-bouquet such as different CATV networks in a region (Column 9, lines 37-44), the receiver comprising means for displaying a list of program and/or other services containing the logical channel number or services and programming for specific channels (Column 9, lines 37-44).

8. Claims 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al (US 2004/011745 and hereafter referred to as "Schein").

Regarding Claim 14, Schein discloses a receiver for receiving TV signals in a plurality of channels each defining a TV program (Figure 1, 12, Figure 2, 60, 62, 64) and wherein the signals comprise sorting data defining a sorting list (Figure 4-9) and scheduling data defining a schedule of program events (Figures 40-9, Page 6, paragraph 0067-0070, 0081-0086, Figures 16A, 16B) the receiver being arranged to filter the scheduling data depending on the sorting data (Figure 20A, Themes and Searches, Page 6, paragraph 0081-0086, Page 7, paragraph 0087-0095) to produce output signals defining an image of selected events in the program schedule for display as a filtered schedule on a TV screen depending on the sorting data (Figure 20A, Themes and Searches, Page 6, paragraph 0081-0086, Page 7, paragraph 0087-0095).

Regarding Claim 15, Schein discloses all the limitations of Claim 14. Schein disclose wherein the sorting data includes data to enable events in the schedule data to be selected for display in the filtered schedule depending on at least on of a genre or sub-genre (Figure 20A, Themes and Searches, Page 6, paragraph 0081-0086, Page 7, paragraph 0087-0095).

9. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Amano (US 5,911,046).

Regarding Claim 19, Amano discloses a receiver (Column 3, lines 66-67, Column 4, line 1) for receiving TV signals in a plurality of channels which together provide a



time-shifted service (Figure 5), the TV signals comprising unique identity data for each channel and program schedule data for the reference channel or a program schedule could have a first channel as a reference channel (Column 8, lines 38-52) a schedule for each channel (Column 8, lines 38-67, Column 9, lines 1-3) and means for displaying a schedule of programs or a program guide (Column 8, lines 41-45) for each independently identified channel or the first channel in the time shifted service with successive later times of the program selected (Column 8, lines 38-67, Column 9, lines 1-3).

10. Claims 20, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al (US 2003/0200544 and hereafter referred to as "Ellis").

Regarding Claim 20, Ellis discloses a receiver for receiving television signals in a plurality of channels (Figure 1, 32) each defining a TV program and at least a signal in one of the channels further comprising program scheduling data including pay-per view (PPV) events (Page 2, paragraph 0026-0027), the receiver being arranged to filter the data pertaining to the PPV events (Figure 2, Figure 3, Page 3, paragraph 0040) to produce output signals defining an image of a schedule of the PPV event for display on a TV screen (Figure 4, Figure 7).

Regarding Claim 21, Ellis discloses all the limitations of Claim 20. Ellis discloses the receiver is arranged to filter promotional video data pertaining to selected PPV events for display together with corresponding portions of the PPV schedule or video is

displayed in the promotional video barker which is related to TV listings information which can be PPV listings (Figure 12, Page 4, paragraph 0050).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Eyer.

Regarding Claim 5, Chaney discloses all the limitations of Claim 1. Chaney is silent on the text portions comprise an extended event description. Eyer discloses IPG data or dictionary containing blocks of data for the program schedule with text portions comprise an extended event description or information about the program (Column 13, lines 58-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaney to include text portions comprise an extended event descriptions or information about the program (Column 5, lines 54-62, Column 9, lines 50-62) as taught by Eyer in order to limit the amount of information at the receiver by sending limited channel map information or dictionary with text portion to provide cost and bandwidth benefits for the receiver (Column 2, lines 62-67) as disclosed by Eyer.

13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Allison et al (US 2005/0144638 and hereafter referred to as "Allison").

Regarding Claim 6, Chaney discloses all the limitations of Claim 1. Chaney discloses service map or dictionary with channel/program information and that the dictionary or map includes text portions with data including titles, ratings, channel information, and categories. Chaney is silent on the text portions comprise a special event message. Allison discloses the program guide includes special event messages such as special offer for an upcoming pay per view event (Page 5, paragraph 0059). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaney to include program guide comprising special event messages such as special offer for an upcoming pay per view event (Page 5, paragraph 0059) as taught by Allison in order to provide users with an interactive program guide which facilitates navigation and numerous options (Page 1, paragraph 0002-0005) as disclosed by Allison.

14. Claims 12, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer in view of Klosterman (US 6,072,983).

Regarding Claims 12, 27, 28, 29, Eyer discloses all limitations of Claims 9, 10, 11 and 26 respectively. Eyer discloses a program guide or IPG that displays a list of programs and services (Column 5, lines 54-61). Eyer is silent on an order channel number, which varies on sub-bouquet basis, the receiver comprising means for

Art Unit: 2623

displaying a list of programs and/or other services depending on the order channel number. Klosterman discloses receiving program schedule information, which is sorted in a predetermined order such that the program schedule is mixed, sorted, organized in a format (Column 6, lines 11-27). It is necessarily included that if there is a specific predetermined order in which the programming and services should be displayed that a number is associated with the order of the display. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer to include an order number for receiving program schedule information which is sorted in a predetermined order such that the program schedule is mixed, sorted, organized in a format (Column 6, lines 11-27) as taught by Klosterman so that the program schedule is ready for immediate display and saves time (Column 6, lines 11-27) as disclosed by Klosterman.

15. Claims 13, 30, 31, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer in view of Coleman et al (US 5,844,620 and hereafter referred to as "Coleman").

Regarding Claims 13, 30, 31, 33, Eyer discloses all limitations of Claims 9, 10, 11 and 26 respectively. Eyer is silent on each channel has associated with it one or more indicators, the receiver comprising means responsive to the indicators for controlling display of program and/or service information. Coleman discloses that each channel has associated with it one or more indicators such as closed captions (Column 3, lines 54-60, Column 19, lines 8-27) theme categories (Column 4, lines 1-4) and

Art Unit: 2623

rating/parental rating (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54), the receiver comprising means responsive to the indicator for controlling display of program as parental controls on the program (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54) or to display closed captioning (Column 3, lines 54-60, Column 19, lines 8-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer to include that each channel has associated with it one or more indicators such as closed captions (Column 3, lines 54-60, Column 19, lines 8-27) theme categories (Column 4, lines 1-4) and rating/parental rating (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54), the receiver comprising means responsive to the indicator for controlling display of program as parental controls on the program (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54) or to display closed captioning (Column 3, lines 54-60, Column 19, lines 8-27) as taught by Coleman in order to allow a user to obtain information relating to the provision of services over a network (Column 1, lines 10-15) as disclosed by Coleman.

16. Claims 16-18, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofmann (US 5,883,677) in view of Eyer.

Regarding Claim 16, Hofmann discloses a receiver for receiving TV signals in a first plurality of channels broadcast in a first broadcast network and including program schedule data for the first network (Figure 1, 318, Figure 4B, 318) and TV signals in a second plurality of channels broadcast in a second broadcast network and including

program schedule data for the second network (Figure 1, 314 Figure 4B, 310).

Hofmann discloses a cache store for the program schedule data (Figure 4B). Hofmann is silent on the program schedule data being broadcast in one network at a faster rate than in the other network, the receiver comprising a cache store for storing a portion of program schedule data for the first and/or the second network transmitted from time to time in at least one of the channels broadcast in the first network and /or the second network, means for decoding the data in the cache store for display of a program scheduled of the first or second broadcast network and means for receiving and decoding additional program schedule data from the signals for the network in which data is broadcast at the faster rate in response to user request to complete the program schedule for the or second network.

Eyer discloses that TV signals are broadcast via the first network or satellite network with program schedule or guide data (Figure 1, Column 3, lines 58-65) and TV signals are transmitted via second network or terrestrial/cable networks (Column 3, lines 58-65). Eyer discloses that the interactive program guide (IPG) is being broadcast over the satellite network. Eyer discloses data being broadcast in one network at a faster rate than in the other network, the receiver comprising a cache store for storing a portion of program schedule data (Figure 1, 180, Column 9, lines 45-50, 63-67, Column 10, lines 1-6, 36-62) for the first and/or the second network transmitted from time to time in at least one of the channels broadcast in the first network and/or the second network (Figure 1), means for decoding the data in the cache store for display of a program scheduled of the first or second broadcast network or constructing the data into an IPG

(Figure 1, Figure 3, Column 9, lines 50-62) and means for receiving and decoding additional program schedule data from the signals for the network (Column 13, lines 58-67) in which data is broadcast at the faster rate in response to user request to complete the program schedule for the first or second network (Column 20, lines 66-67, Column 21, lines 1-7). It is necessarily included that if the second network is a terrestrial network that a satellite network would broadcast IPG data at a faster rate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hofmann to include data being broadcast in one network at a faster rate than in the other network, the receiver comprising a cache store for storing a portion of program schedule data (Figure 1, 180, Column 9, lines 45-50, 63-67, Column 10, lines 1-6, 36-62) for the first and/or the second network transmitted from time to time in at least one of the channels broadcast in the first network and /or the second network (Figure 1), means for decoding the data in the cache store for display of a program scheduled of the first or second broadcast network or constructing the data into an IPG (Figure 1, Figure 3, Column 9, lines 50-62) and means for receiving and decoding additional program schedule data from the signals for the network (Column 13, lines 58-67) in which data is broadcast at the faster rate in response to user request to complete the program schedule for the first or second network (Column 20, lines 66-67, Column 21, lines 1-7) as taught by Eyer in order to provide cost and bandwidth benefits for the receiver (Column 2, lines 62-67) as disclosed by Eyer.

Regarding Claim 17, Hofmann and Eyer disclose all the limitations of Claim 16. Eyer discloses the cache store is updated when new data is transmitted in the first

broadcast network or when the amount of time of IPG data can be stored such as the current 24 hours, which inherently includes that the cache store is updated with new data (Column 9, lines 21-24, 37-44, Column 10, lines 4-6).

Regarding Claims 18 and 37, Hofmann and Eyer disclose all the limitations of Claims 16 and 17 respectively. Eyer discloses the broadcast program schedule data comprises depth data for specific models of receiver via the preformatted blocks of IPG data for daily schedules and title records (Column 11, lines 8-18), the receiver being arranged to receive depth data or receiving messages pertaining to and the amount of data that should be stored specifically schedule and title and/or descriptions in the cache store or RAM and this is dependent on the depth data or message to store as there are receivers without large enough storages to hold descriptions (Column 11, lines 26-33). The messages sent from the transmitted side is so that sorting and processing is performed only once at the transmitter versus at every decoder and also so that memory management is simplified (Column 11, lines 8-18).

17. Claim 32, 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer in view of Klosterman as applied to claims 12, 27-29 above, and further in view of Coleman.

Regarding Claims 32, 34, 35, 36, Eyer and Klosterman disclose all limitations of Claims 12, 27, 28, and 29 respectively. Eyer and Klosterman are silent on each channel has associated with it one or more indicators, the receiver comprising means responsive to the indicators for controlling display of program and/or service



Art Unit: 2623

information. Coleman discloses that each channel has associated with it one or more indicators such as closed captions (Column 3, lines 54-60, Column 19, lines 8-27) theme categories (Column 4, lines 1-4) and rating/parental rating (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54), the receiver comprising means responsive to the indicator for controlling display of program as parental controls on the program (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54) or to display closed captioning (Column 3, lines 54-60, Column 19, lines 8-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer in view of Klosterman to include that each channel has associated with it one or more indicators such as closed captions (Column 3, lines 54-60, Column 19, lines 8-27) theme categories (Column 4, lines 1-4) and rating/parental rating (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54), the receiver comprising means responsive to the indicator for controlling display of program as parental controls on the program (Column 3, lines, 63-67, Column 4, lines 5-12, Column 22, lines 51-54) or to display closed captioning (Column 3, lines 54-60, Column 19, lines 8-27) as taught by Coleman in order to allow a user to obtain information relating to the provision of services over a network (Column 1, lines 10-15) as disclosed by Coleman.

### ***Conclusion***

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-

272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FEH  
May 4, 2006



VIVEK SRIVASTAVA  
PRIMARY EXAMINER